

REMARKS

The claims are not amended. Claim 7 was previously canceled without prejudice or disclaimer. Claims 1-6 and 8-20 are pending. By previously amending and canceling the claims, applicant is not conceding that the claims are unpatentable over the art cited by the Office Action and is not conceding that the claims are non-statutory under 35 U.S.C. 101, 102, 103, and 112, as the claim amendments and cancellations are only for the purpose of facilitating expeditious prosecution. Applicant respectfully reserves the right to pursue the subject matter of the claims as it existed prior to any amendment or cancellation and to pursue other claims in one or more continuation and/or divisional applications. Applicant respectfully requests reconsideration and allowance of all claims in view of the amendments above and the remarks that follow.

Rejections under 35 U.S.C. 102

Claims 1-6 and 8-20 are rejected under 35 U.S.C. 102(e) over Gegner (WO 2003/104966 A3), and the Office Action deems that the declaration filed on May 23, 2011 under 37 CFR 1.131, which swears behind Gegner, is “insufficient to establish applicant’s alleged actual reduction to practice … does not adequately: a) ‘map’ the claim limitations to the exhibits; b) explain how the claim limitations are shown in the exhibits; and c) proof that the invention actually existed and worked for its intended purpose.” The Office Action further stated “The applicant is required to show that the invention was not commercially used at least one year prior the application filing date to avoid the 102b statutory bar rejection.”

Applicant respectfully traverses the Office Action deeming the declaration “insufficient to establish … proof that the invention actually existed and worked for its intended purpose” because the declaration recites in section 5: “The invention was completed and was commercially used prior to June 4, 2003, as indicated by the redacted date on page 8 of Exhibit A” and Exhibit A on pages 7 and 8 recites “Has the invention been commercially used (internally or externally) by IBM or another entity (e.g.,

included in or used to make products, or prototypes provided to a customer)? Yes... Please tell us the prototype/product, and when the use first started or is schedule to start: Prototype Product: eCenter/Tivoli Web Health Console Date:." Thus, the declaration and exhibit proves that the invention was commercially used in the "eCenter/Tivoli Web Health Console" prior to June 4, 2003, so the invention was reduced to practice, actually existed, and worked for its intended purpose prior to June 4, 2003.

Applicant respectfully traverses the Office Action deeming the declaration insufficient because "The applicant is required to show that the invention was not commercially used at least one year prior the application filing date to avoid the 102b statutory bar rejection" since 37 CFR 1.131 does not require the applicant to present any evidence regarding 35 U.S.C. 102(b) and neither the declaration nor the exhibits present any evidence to suggest that a 35 U.S.C. 102(b) bar exists. Nevertheless, applicant submits that the redacted commercial use date on page 8 of Exhibit A is less than one year prior to applicant's filing date of October 16, 2003.

Applicant respectfully traverses the Office Action deeming the declaration insufficient because 37 CFR 1.131 does not require the declaration to "map" the claim limitations to the exhibits. Instead, 37 CFR 1.131 requires that "The showing of facts shall be such, in character and weight, as to establish reduction to practice prior to the effective date of the reference," which the declaration shows, e.g., in section 3. Nevertheless, applicant provides the following "mapping" of the claims to the exhibits:

Claim 1 recites "selecting a subset of a first plurality of data objects based on a respective importance of each of the first plurality of respective data objects, wherein the first plurality of data objects are displayed in a main view," which is supported by Exhibit A, page 3, which recites: "Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller 'Peek' view is still dynamic, he can see if the status

changes or some state change occurs where he needs to refocus on that original data. When the user moves the data from the main view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view" and by Exhibit A, page 5, which illustrates a main view.

Claim 1 further recites "copying the subset to a peek view," which is supported by Exhibit A, page 3, which recites: "Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller 'Peek' view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data. When the user moves the data from the main view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view" and which is supported by Exhibit A, page 5, which illustrates a main view and a peek view.

Claim 1 further recites "replacing the first plurality of data objects in the main view with a second plurality of data objects, wherein the second plurality of data objects are different from the first plurality of data objects," which is supported by Exhibit A, page 3, which recites: "Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller 'Peek' view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data. Then, when he sees a status or state change of the data in the 'Peek' view, he can then push the data back to the main view. When the user moves the data from the main view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view" and which is supported by Exhibit A, page 5, which illustrates a main view, and which is supported by Exhibit A, pages 6

and 7, which recite “when the data in the Peek view is moved to the main view, all the extra columns of information comes back into view.”

Claim 2 recites “the selecting is in response to a pull command at the peek view,” which is supported by Exhibit A, page 3, which recites: “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view.”

Claim 3 recites “selecting the subset based on a size of the peek view,” which is supported by Exhibit A, page 3, which recites “only the most important information is shown, based on the size of the ...‘Peek’ view.”

Claim 4 recites “receiving an update to the plurality of data objects,” which is supported by Exhibit A, page 3, which recites “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data.”

Claim 4 further recites “modifying the subset in the peek view based on the update,” which is supported by Exhibit A, page 3, which recites “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data.”

Claim 5 recites “re-selecting the subset based on a change to the importance, wherein the receiving further receives the change to the importance,” which is supported by Exhibit A, page 3, which recites: “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data. … When the user moves the data from the main view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view” and which is supported by Exhibit A, page 5, which illustrates a main view, and which is supported by Exhibit A, page 6, which recites “The data is tagged with different levels of importance, such as ‘Critical’, ‘Important’, or ‘Optional’. When data is moved from the main view to a Peek view, only the ‘Critical’ information is shown.”

Claim 6 recites “means for receiving a first plurality of data objects and a plurality of respective importance tags,” which is supported by Exhibit A, page 3, which recites: “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data. … When the user moves the data from the main view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view,” and which is supported by Exhibit A, page 6, which recites “The data is tagged with different levels of importance, such as ‘Critical’, ‘Important’, or ‘Optional’. When data is moved from the main view to a Peek view, only the ‘Critical’ information is shown.”

Claim 6 further recites “means for selecting a subset of the first plurality of data objects based on the importance tags and based on a peek view associated with a pull command,” which is supported by Exhibit A, page 3, which recites: “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data. … When the user moves the data from the main view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view.”

Claim 6 further recites “means for copying the subset from a main view to the peek view,” which is supported by Exhibit A, page 3, which recites: “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data. … When the user moves the data from the main view to the Peek view, the data is condensed.”

Claim 6 further recites “means for replacing the first plurality of data objects in the main view with a second plurality of data objects, wherein the second plurality of data objects are different from the first plurality of data objects,” which is supported by Exhibit A, page 3, which recites: “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data.

Then, when he sees a status or state change of the data in the ‘Peek’ view, he can then push the data back to the main view. . . . When the user moves the data from the main view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view” and which is supported by Exhibit A, page 5, which illustrates a main view, and which is supported by Exhibit A, pages 6 and 7, which recite “when the data in the Peek view is moved to the main view, all the extra columns of information comes back into view.”

Claim 8 recites “the means for selecting based on the peek view is further based on a size of the peek view,” which is supported by Exhibit A, page 3, which recites “only the most important information is shown, based on the size of the . . . ‘Peek’ view.”

Claim 9 recites “means for copying the subset from the peek view to the main view in response to a push command associated with the peek view,” which is supported by Exhibit A, page 3, which recites: “Then, when he sees a status or state change of the data in the ‘Peek’ view, he can then push the data back to the main view.”

Claim 10 recites “means for receiving an update to the first plurality of data objects,” which is supported by Exhibit A, page 3, which recites “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data.”

Claim 10 further recites “means for modifying the subset in the peek view based on the update,” which is supported by Exhibit A, page 3, which recites “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is

still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data.”

Claim 11 recites “selecting a subset of a first plurality of data objects in response to a pull command from a peek view, wherein the first plurality of data objects are displayed in a main view,” which is supported by Exhibit A, page 3, which recites: “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data. … When the user moves the data from the main view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view” and which is supported by Exhibit A, page 5, which illustrates a main view and a peek view.

Claim 11 further recites “copying the subset to a peek view,” which is supported by Exhibit A, page 3, which recites: “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data. … When the user moves the data from the main view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view” and which is supported by Exhibit A, page 5, which illustrates a peek view.

Claim 11 further recites “replacing the first plurality of data objects in the main view with a second plurality of data objects, wherein the second plurality of data objects are different from the first plurality of data objects,” which is supported by Exhibit A,

page 3, which recites: "Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller 'Peek' view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data. Then, when he sees a status or state change of the data in the 'Peek' view, he can then push the data back to the main view. ... When the user moves the data from the main view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view" and which is supported by Exhibit A, page 5, which illustrates a main view, and which is supported by Exhibit A, pages 6 and 7, which recite "when the data in the Peek view is moved to the main view, all the extra columns of information comes back into view."

Claim 12 recites "the selecting further comprises: selecting the subset based on a plurality of importance tags associated with the respective first plurality of respective data objects, wherein the respective importance tags specify a ranking of the first plurality of respective data objects," which is supported by Exhibit A, page 3, which recites: "Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller 'Peek' view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data. ... When the user moves the data from the main view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view" and which is supported by Exhibit A, page 5, which illustrates a main view, and which is supported by Exhibit A, page 6, which recites "The data is tagged with different levels of importance, such as 'Critical', 'Important', or 'Optional'. When data is moved from the main view to a Peek view, only the 'Critical' information is shown."

Claim 13 recites “the selecting further comprises: selecting the subset based on the plurality of importance tags and a size of the peek view,” which is supported by Exhibit A, page 3, which recites “only the most important information is shown, based on the size of the …‘Peek’ view.”

Claim 14 recites “receiving an update to the first plurality of data objects,” which is supported by Exhibit A, page 3, which recites “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data.”

Claim 14 further recites “modifying the subset in the peek view based on the update,” which is supported by Exhibit A, page 3, which recites “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data.”

Claim 15 recites “modifying the first plurality of data objects in the main view based on the update,” which is supported by Exhibit A, page 3, which recites: “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data. Then, when he sees a status or state

change of the data in the ‘Peek’ view, he can then push the data back to the main view. . . . When the user moves the data from the main view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view” by Exhibit A, page 5, which illustrates a main view, and by Exhibit A, pages 6 and 7, which recite “when the data in the Peek view is moved to the main view, all the extra columns of information comes back into view.”

Claim 16 recites “selecting a subset of a first plurality of data objects in response to a pull command from a peek view, wherein the first plurality of data objects are displayed in a main view,” which is supported by Exhibit A, page 3, which recites: “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view.”

Claim 16 further recites “copying the subset to a peek view,” which is supported by Exhibit A, page 3, which recites: “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view.”

Claim 16 further recites “replacing the first plurality of data objects in the main view with a second plurality of data objects, wherein the second plurality of data objects are different from the first plurality of data objects,” which is supported by Exhibit A, page 3, which recites: “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data. Then, when he sees a status or state change of the data in the ‘Peek’ view, he can then push the data back to the main view. . . . When the user moves the data from the main

view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view” by Exhibit A, page 5, which illustrates a main view, and by Exhibit A, pages 6 and 7, which recite “when the data in the Peek view is moved to the main view, all the extra columns of information comes back into view.”

Claim 16 further recites “receiving an update to the first plurality of data objects,” which is supported by Exhibit A, page 3, which recites “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data.”

Claim 16 further recites “modifying the subset in the peek view based on the update,” which is supported by Exhibit A, page 3, which recites “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data.”

Claim 17 recites “selecting the subset based on a plurality of importance tags associated with the respective first plurality of respective data objects, wherein the respective importance tags specify a ranking of the first plurality of respective data objects,” which is supported by Exhibit A, page 3, which recites: “Our invention provides the ability for an administrator to view his management console, view data in the main view, then press a widget on a peek view to pull the view of that data from the main view into the selected Peek view. The administrator can then work on completely different

data while keeping an eye on the original data. Since the smaller ‘Peek’ view is still dynamic, he can see if the status changes or some state change occurs where he needs to refocus on that original data. … When the user moves the data from the main view to the Peek view, the data is condensed. Only the most important information is shown in the Peek view compared to the main view” and by Exhibit A, page 5, which illustrates a main view, and is supported by Exhibit A, page 6, which recites “The data is tagged with different levels of importance, such as ‘Critical’, ‘Important’, or ‘Optional’. When data is moved from the main view to a Peek view, only the ‘Critical’ information is shown.”

Claim 18 recites “selecting the subset based on the plurality of importance tags and a size of the peek view,” which is supported by Exhibit A, page 3, which recites “only the most important information is shown, based on the size of the …‘Peek’ view,” and is supported by Exhibit A, page 6, which recites “The data is tagged with different levels of importance, such as ‘Critical’, ‘Important’, or ‘Optional’. When data is moved from the main view to a Peek view, only the ‘Critical’ information is shown.”

Claim 19 recites “copying the subset back to the main view in response to a push command from the peek view,” which is supported by Exhibit A, page 3, which recites: “Then, when he sees a status or state change of the data in the ‘Peek’ view, he can then push the data back to the main view.”

Claim 20 recites “sorting data in the subset in the peek view based on a sort rule associated with the data,” which is supported by Exhibit B, page 1, which illustrates the monitors sorted alphabetically in the eCenter-Peek view.

For the foregoing reasons, applicant respectfully submits that the declaration and exhibits under 37 CFR 1.131, submitted on May 23, 2011 are sufficient and Gegner should be removed as a reference under 35 U.S.C. 102(e).

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is requested. The Examiner is invited to telephone applicant's attorney (651-645-7135) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 09-0465.

Respectfully submitted,

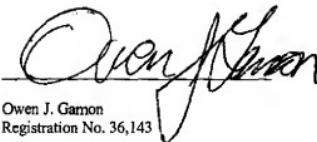

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